



**THE COUNCIL OF THE CITY OF
COVENTRY (CITY CENTRE SOUTH)
COMPULSORY PURCHASE ORDER 2022**

**INSPECTORATE REFERENCE
APP/PCU/CPO/U4610/3299063**

**PROOF OF EVIDENCE OF ALEC
PHILPOTT IN RESPECT OF SERVICING**

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Prepared by:	Alec Philpott
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Drawing and Appendices (separately bound)

Drawing AP1 Swept Path Analysis All Yard B Movements

APPENDIX AP1: Centre Manager Note

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December 2022

1 Qualifications and Experience

- 1.1 My name is Alec Philpott. I hold a Bachelor of Engineering Degree and am a Fellow of both the Chartered Institution of Highways & Transportation and the Chartered Institute of Logistics and Transport.
- 1.2 I am a Director at Mayer Brown Limited (MBL), Transportation Consultants.
- 1.3 I have been engaged in the practice of civil engineering for over 25 years, specialising in transport planning. I have extensive experience in working with both public and private sector Clients, regularly advising on highways, transport and road safety matters.
- 1.4 My experience includes a wide range of transportation projects for various types of development proposals including retail, residential, employment and mixed use developments. I have extensive experience of assessing the transport impacts of development proposals.
- 1.5 I have visited the site and I am familiar with the local highway network and surrounding area.
- 1.6 The evidence that I have prepared and provide for this Inquiry reference APP/PCU/CPO/3299063 is true and I confirm that the views expressed are my true and professional opinions.

2 Introduction and Scope of Evidence

Introduction

- 2.1 My evidence considers specifically the effect of the proposed development on the operations of both Coventry Market and the Lower Precinct Shopping Centre with regard to servicing matters.
- 2.2 The scheme on which the acquiring authority (“AA”) seeks to rely in order to justify the Compulsory Purchase Order (CPO) is the development proposal for which planning permission was granted on 27th January 2022 [planning reference OUT/2020/2876] for an extensive redevelopment of the area surrounding Coventry Market (CM) and land adjacent to Lower Precinct Shopping Centre (LPSC) (“the 2022 Planning Permission”). The application, known as the City Centre South (CCS) development, took the form of a hybrid submission with a number of key issues to be resolved through reserved matters submissions. The AA have subsequently submitted a Section 73 application for a refined scheme for consideration by the Local Planning Authority (application ref: 11515856), which has yet to be determined. The revised scheme contains the same deficiencies in relation to servicing as the original submission and my evidence applies to both applications.
- 2.3 Coventry Market is circled by a number of service yards, which facilitate deliveries to the market itself and the adjacent retailers in Lower Precinct Shopping Centre, Market Way and City Arcade.
- 2.4 These service yards are presently under the management of either Royal London or Coventry City Council, as will be detailed later in this evidence.
- 2.5 The proposed servicing strategy of the City Centre South (CCS) development relies upon imposing a restriction on delivery timings to the service area south of CM. The proposals would prohibit servicing in this area outside of the hours 0600/0700-1000. Any activity which presently occurs within this southern service area between 1000 and 0600/0700 hours would need to be accommodated elsewhere.
- 2.6 Conditions 28 and 40 of the permission requires the developer to submit details pursuant to servicing activities, as stated below:

28. The existing vehicle access ramp into the basement of Coventry Market from Rover Road shall continue to remain accessible to vehicles unless and until either the proposed new ramped access to that basement from Queen Victoria Road has been fully completed and is operational or in consultation with the owner, operator and traders of Coventry Market details of any alternate viable means of servicing Coventry Market has been submitted to and approved by the local planning authority with all details carried out as approved thereafter.

40. Prior to the commencement of works to Blocks A1, A2 or public realm occupying the current area comprising the Coventry Retail Market service area and Rover Road, a servicing strategy shall be submitted to and approved by the local planning authority. The servicing strategy shall demonstrate how the Market will be adequately serviced during the operation of the approved

development, including deliveries, pedestrian safety and waste management. All details shall be carried out as approved.

- 2.7 The conditions attached to the permission leave the issue of servicing of Coventry Market (and the consequential effects of doing so) to be dealt with by the submission and approval of details.
- 2.8 The effect of the proposals is to prevent use of the southern service area after 10am. Condition 40 attached to the 2022 Planning Permission envisages that a servicing strategy will be submitted to and approved by the local planning authority. In my evidence I have considered how a servicing strategy might be developed to satisfy the requirements of condition 40. I have concluded that such a servicing strategy will not overcome all of the practical issues that are likely to arise.
- 2.9 In addition to the practical issues, the necessary change in management will attract costs associated with enhanced infrastructure, staffing and security on top of the need to amend the leases of those trader/retailers who will be affected by the development.
- 2.10 My evidence also explains that the servicing of proposed Block A2 would inherently and unavoidably compromise pedestrian safety to a serious degree and the scheme is therefore deficient in this regard.
- 2.11 Of further concern, as will be detailed later in my evidence, an area of land to be acquired by the AA to the northeast of CM is currently used to facilitate manoeuvring of existing service vehicles associated with the LPSC. The intent of the AA in respect of this area is not clear, but it is imperative that this area is retained for its existing purpose.
- 2.12 It is not possible for the AA to determine whether the interference with property rights is justified without a clear understanding of the servicing strategy, and of the impacts of that strategy on existing and proposed occupiers. Further, at present, there is insufficient evidence to demonstrate that the servicing strategy is practical and workable; that is a significant defect of the scheme.

- 2.13 The proposed servicing strategy must be achievable not only from a theoretical logistics/management perspective but, additionally, the necessary management measures must meet the reasonable needs and requirements of existing traders and should not unreasonably fetter or undermine their ability to undertake their normal retailing activities.
- 2.14 It is my opinion that the development promoter and AA have failed to demonstrate that the servicing strategy proposed is workable and deliverable, and that it can be implemented without causing undue disruption to existing business activities. The effect of the CPO, if confirmed would be to deprive those using Coventry Market of their existing servicing arrangements. My analysis has shown that the envisaged servicing strategy will not provide equivalent or adequate servicing arrangements.
- 2.15 My evidence adopts the following structure:
- The current servicing arrangements for CM and the LPSC.
 - The AA's proposals.
 - Acquisition of land
 - The proposed servicing strategy
 - The representations made by RL in relation to deficiencies
 - Impact of the scheme on the servicing arrangements.
 - An assessment of the changes required in order to allow effective servicing of CM and the LCSP.
 - Summary and Conclusions

3 Current Servicing Arrangements

3.1 As set out earlier in my evidence, Coventry Market is presently surrounded by a number of service areas which serve the adjacent retailers/traders.

3.2 Figure 3.1 below identifies these areas:

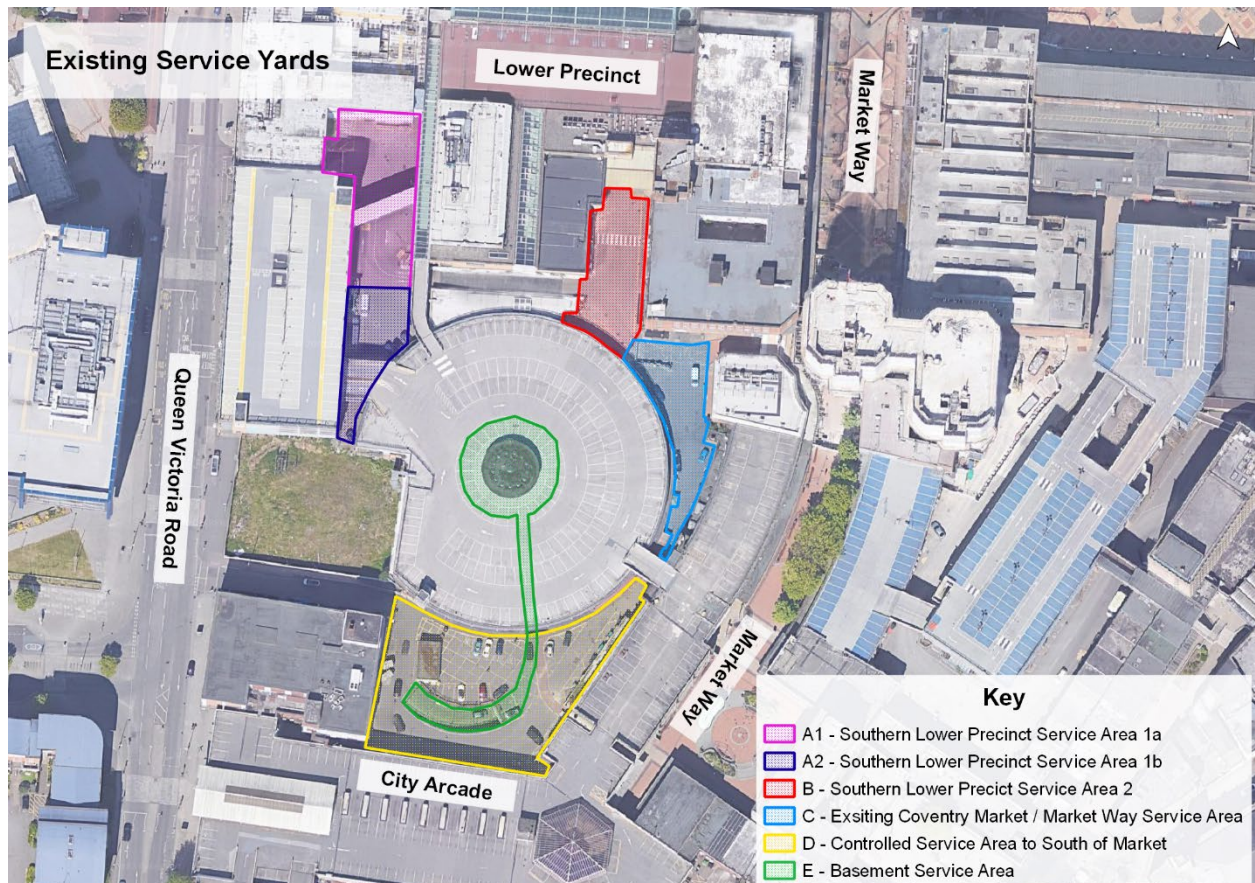


Figure 3.1: Existing Service Yard Locations

3.3 The existing management of these areas can be described as follows:

North of Coventry Market

Yard A1:

- Vehicle access is from Queen Victoria Road via a short underpass beneath upper levels of LPSC.
- Vehicle access is restricted by a barrier which can be raised by the control room (via intercom), or will automatically raise if the ANPR system identifies an approved vehicle registration number approaching. Coventry City Council provide a list of approved number plates that are to be provided unfettered access

to service the market. Egressing vehicles are held at a stop light within the yard until the underpass is clear. Exiting vehicles are detected via an inductive loop.

- Principally this area serves retailers within LPSC. Practically, it can accommodate 5 vehicles of varying sizes, although all of these servicing bays are not delineated.
- Vehicles without an approved vehicle registration number are required to obtain a permit from the control room to load/unload on arrival (valid for 30 mins).
- The service yard is under the management of Royal London. Enforcement is presently undertaken by UKPC.

Yard A2:

- Essentially an extension to the south of Yard A1.
- This area serves retailers within LPSC and also market traders, in addition to providing access to the on-site compactor and refuse collection area. This Yard contains 9 marked loading bays.
- Vehicles without an approved vehicle registration number are required to obtain a permit from the control room to load/unload on arrival (valid for 30 mins).
- The service yard is under the management of Royal London. Enforcement is presently undertaken by UKPC.

Yard B:

- Vehicle access is via a link-bridge from Yards A1/A2.
- This area serves retailers within LPSC. This yard practically contains 3 loading bays with associated dock levellers. Waste storage is also included along the western edge of this yard.
- Vehicles without an approved vehicle registration number are required to obtain a permit from the control room to load/unload on arrival (valid for 30 mins).
- The service yard is under the management of Royal London. Enforcement is presently undertaken by UKPC.

Yard C:

- Vehicle access is from Yard B, with Yards B/C being separated by a barrier which raises automatically on approach of any vehicle.
- This area serves retailers on Market Way and also Coventry Market Traders. There are no defined loading bays, with parking occurring ad-hoc.
- This area also provides a primary pedestrian access into Coventry Market.
- The service yard is under the management of Coventry City Council.

South of Coventry Market

Yard D:

- Vehicle access is from Rover Road/Queen Victoria Road. There are no physical restrictions on vehicle access.
- This area serves retailers on City Arcade, Market Way and also Coventry Market Traders. There are no defined loading bays, with parking occurring ad-hoc. This area contains 6 accessible parking spaces.
- The service yard is under the management of Coventry City Council. No enforcement is apparent within this yard.

Yard E (Coventry Market Basement):

- Vehicle access is via a ramp within Yard D. The ramp is controlled by way of a manually operated barrier.
- This area serves Coventry Market Traders. There are no defined loading bays and the area is principally occupied by storage units for traders and waste/recycling in addition to a compacting machine.
- The service yard is under the management of Coventry City Council.

- 3.4 A more detailed note on the day to day operation of the yards is provided by the LPSC Centre Manager, contained at Appendix AP1.

4 Acquiring Authority Proposals

Acquisition of Land

- 4.1 Under the proposed CPO, the AA are seeking the following in relation to the service areas discussed above:

New rights to be acquired:

- Yards A1/A2 & B and the associated link bridge and access from Queen Victoria Road (CPO plots 229/234);
- Yard E (CPO plot 233g)

Land to be acquired:

- Part of Yard B (southern end) (CPO plot 54)
- Yard C (CPO plot 54)
- Yard D (CPO plot 39)
- Part Yard E (CPO plot 233f)

Exchange Land:

- Part of Yard D (CPO plot 38)

Acquiring Authority's Proposed Servicing Strategy

Proposed Coventry Market Servicing

Overarching Servicing Strategy

- 4.2 The main changes proposed as part of the proposed servicing strategy are as follows:
- Yard D will have restricted opening times (0600/0700-1000 hours)
 - Yard E (basement) will have a new ramp access directly from Queen Victoria Road with the existing ramp access from Yard D closed
- 4.3 The key concern behind the proposed servicing strategy is the proposed restriction on timings that deliveries/servicing can occur within Yard D which represents a significant change from the free access which is available at present.
- 4.4 It is proposed that servicing can only take place within Yard D between 0700 and 1000 hours, although the developer has conceded during discussions that they would consider an extension of this to 0600-1000.
- 4.5 Outside of these hours, the proposed strategy relies upon any existing activity which currently occurs within Yard D being relocated to one of the other service yards.

Baseline Data and analysis

- 4.6 The planning application to which the CPO relates was accompanied by a Transport Assessment (TA) prepared by Transport Planning Practice (TPP) dated November 2020.
- 4.7 Chapter 3 of the TPP TA included baseline surveys of four service yards, comprising:
- Service Yard 1: City Arcade (not relevant to my evidence)
 - Service Yard 2: Rover Road, south of Coventry Market (herein called Yard D)
 - Service Yard 3: Rover Road/Lower Precinct, north of Coventry Market (herein called Yards A1/A2/B & C). Due to survey techniques, TPP were not able to consider precisely how A1/A2/B were used independently of each other.
 - Service Yard 4: Barracks (not relevant to my evidence)
- 4.8 The TA was supplemented at Appendix C with a summary of the surveys of these yards in addition to Figure 7 of the TA identifying survey locations (extract below).



Figure 4.1: TPP Service Yard Survey Locations (Source: Figure 7 of TPP TA)

- 4.9 The service yard surveys were undertaken on Thursday 21st and Saturday 23rd November 2019.
- 4.10 In addition to submission of the TA and following Mayer Brown raising a series of concerns relating to the proposals on behalf of Royal London, TPP entered a dialogue during the application process which culminated in a Draft Servicing Management Plan (SMP) (May 2022) being prepared by TPP which is contained at Appendix AP2.
- 4.11 At page 11 (paras 4.3.6-4.3.7) the TPP SMP provides details on the likely future accumulation of servicing activity to the south of Coventry Market (Yard D), indicated in 15 minute intervals, to demonstrate that Yard D was suitably sized to accommodate activity during its opening hours.

- 4.12 Notably, within their calculation TPP assumed that any activity in Yard D which exceeded two hours was completely removed from any estimated servicing accumulation.
- 4.13 In relation to identifying the quantum of displaced vehicles when Yard D is closed, at paragraphs 4.3.8-4.3.10 [page 11] of the SMP, TPP average the total recorded delivery activity post 1200 hours and conclude that these could be accommodated within the proposed basement. That is to say, they assume a flat profile of servicing activity in the afternoon.
- 4.14 The calculation has no regard for the recorded arrival profile of these vehicles which will have a significant bearing on the true servicing accumulation. Moreover, the calculation assumes that any existing servicing activity which occurs in Yard D between 1000 and 1200 hours will simply occur within the open time of Yard D (i.e. 0600/0700-1000 hours), with no explanation of how that shift would be achieved, or any details of additional opening times of Yard D which are alluded to [para 4.3.8].
- 4.15 In relation to the impacts of displaced servicing activity, TPP conclude that any migration of vehicles from Yard D would be resolved in one (or all) of three ways, being:
- A natural retiming of servicing by traders, based on enhanced marketing. [para 5.1.3, page 12, of May 2022 Draft SMP]. i.e. traders that presently service after 1000 hours in Yard D would change their servicing strategy and arrive when Yard D was open.
 - Displacement of activity to the 4no. proposed basement van spaces accessed from Queen Victoria Road via a new ramp.[para 5.1.4, page 12, of May Draft 2022 SMP]; i.e. traders that presently service after 1000 hours in Yard D would simply service from the new basement spaces (Yard E).
 - Displacement of activity to the LPSC service yards.[para 5.1.5, page 12, of May 2022 Draft SMP]. i.e. traders that presently service after 1000 hours in Yard D would move their activity to Yards A1/A2/B/C.
- 4.16 No detailed analysis was presented on the effects of displacement of servicing activity in relation to whether Yards A1/A2, B, C or E could accommodate the displaced demand.
- 4.17 Section 5 of my evidence provides an appropriate assessment of the implications of the proposed scheme on the service yards.

Proposed Block A2 servicing

Block A2 Servicing – Overarching Principle

- 4.18 Proposed Block A2 is located to the northeast of CM, cited partly on Service Yard C.
- 4.19 In relation specifically to proposed Block A2, Appendix I of the TA sets out an estimate of the anticipated light goods vehicle/ordinary goods vehicle (LGV/HGV) activity associated with the new elements of the proposed development based on a TRICS [Trip Rate Information Computer System] analysis.
- 4.20 On the basis of this analysis, TPP conclude within the TA (para 5.6.6) that two loading bays will be sufficient to serve the proposed block and the existing demand arising from CM adjacent to Block A2, as loosely illustrated in **Figure 4.2** prepared by TPP below (contained within their Draft Service Management Plan, May 2022).

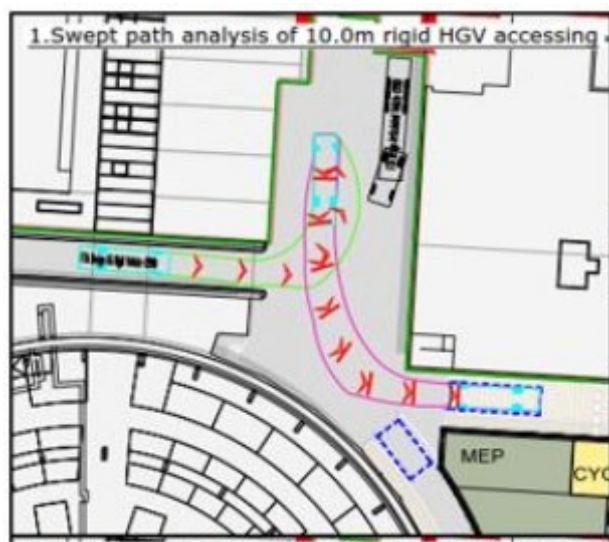


Figure 4.2: TPP Service Strategy for Block A2 (Source: TPP Draft SMP)

Block A2/Market Pedestrian Access

- 4.21 As per the TPP tracking in **Figure 4.2** above, TPP are promoting servicing adjacent to Block A2 (within Yard C), sandwiched between Block A2 and either CM (to its west) or Poundland (to its north).

5 Representations in Relation to Deficiencies

Acquisition of Land

- 5.1 The Compulsory Purchase Order map identifies an area of the LPSC service yard “to be acquired”, immediately adjacent to the northeast corner of CM as shown in **Figure 5.1** below. This area forms part of plot 54 on the CPO plan.

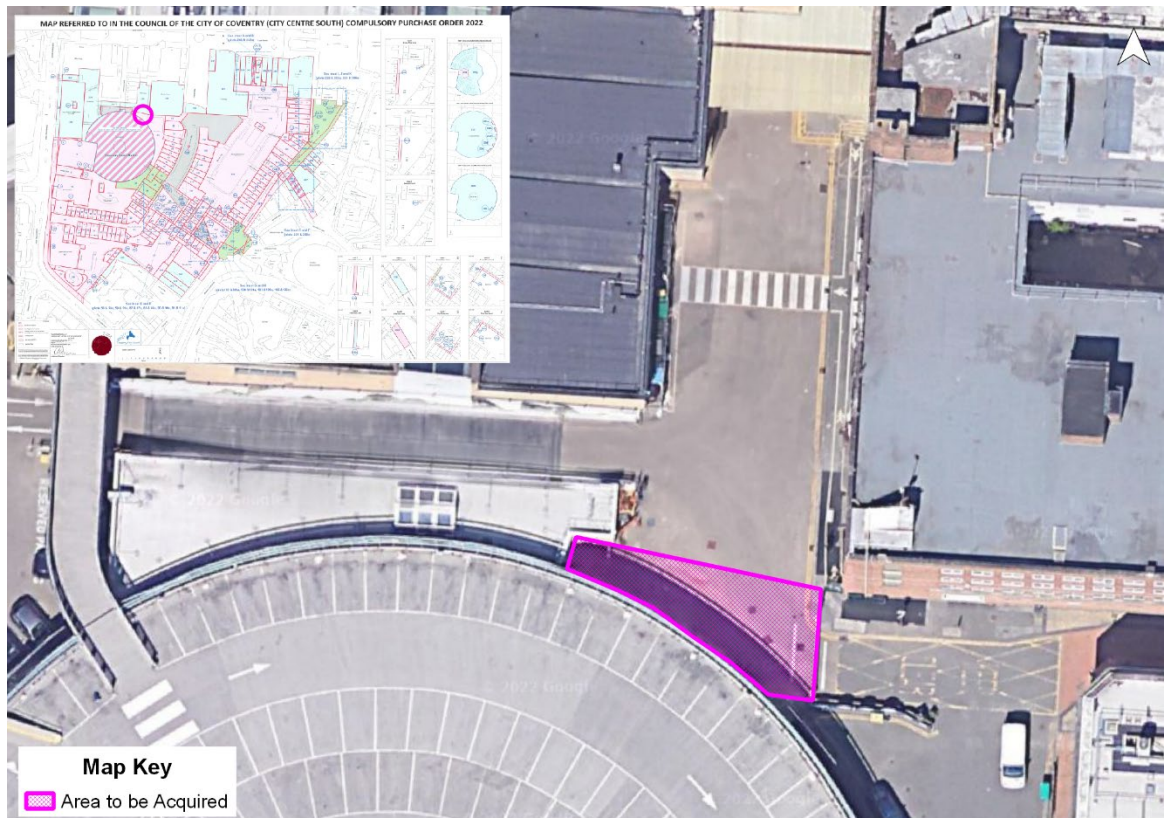


Figure 5.1: Area of Land to be Acquired, Required for LPSC Service Vehicle Manoeuvring

- 5.2 The area identified is presently used to enable delivery and servicing to occur to the LPSC and acts as essential manoeuvring space to permit vehicles to back up to the 3no. dock levellers at the north of this service yard.
- 5.3 **Drawing AP1** appended hereto illustrates the swept path manoeuvres which are presently possible and, for ease, identifies the “area to be acquired” in question.
- 5.4 The AA’s intention with this area to be acquired is presently unclear, but any development which would prohibit its use by delivery vehicles trying to access LPSC would prejudice the retailers operations.

- 5.5 The AA will need to provide an undertaking that use of this area by LPSC retailers for legitimate servicing manoeuvres will not be prohibited in the future or this area will need to be removed from the proposed CPO.

Proposed Coventry Market Servicing

- 5.6 It is my opinion that the analysis undertaken by TPP on behalf of the developer includes the following deficiencies with regard to their data analysis and my evidence considers these in further detail below:

Temporal Scope: An analysis based on a single weekday and single weekend is inappropriate.

Market Occupation: There has been no consideration of market stall occupancy and how that could affect servicing activity.

LPSC Occupation: The LPSC is presently under-occupied. There has been no consideration of how this may affect the occupancy of the service yards surrounding Coventry Market.

Duration of Stay Adjustments: There are number of servicing activities within the affected yards which have been recorded as having a duration of in excess of two hours. These were stripped-out of the analysis undertaken by TPP, rather than having their activity curtailed to two hours, which would be more appropriate.

Geographical Scope (all yards): Submissions made by the promoter/developer to date do not include a full analysis of all service yards surrounding CM to identify whether the LPSC service areas can cater for displaced vehicles. The absence of such an analysis means there is no confidence that the proposals can come forward without any undue detrimental impact on the ability to service LPSC or CM.

Geographical Scope (specific to Market Activity): When servicing is displaced into the LPSC service areas, it is likely that Market Traders activity will be drawn towards those bays closest to the Market. Submissions made by TPP do not consider the potential effects of this.

Unit subdivision (LPSC): A commentary on the effects of planned unit subdivision within the LPSC on potential servicing activity.

Contractor Parking; A commentary on the effects of contractor parking demands on the operation of the service yards.

Practical operational issues. A commentary on the day-to-day issues that arise *[Note: needs to include section on operational/on the ground issues – reference Nicola’s paper]*

5.7 **Figure 5.2** below identifies the approximate areas of each of the service yards, post development with a description of the changes below:

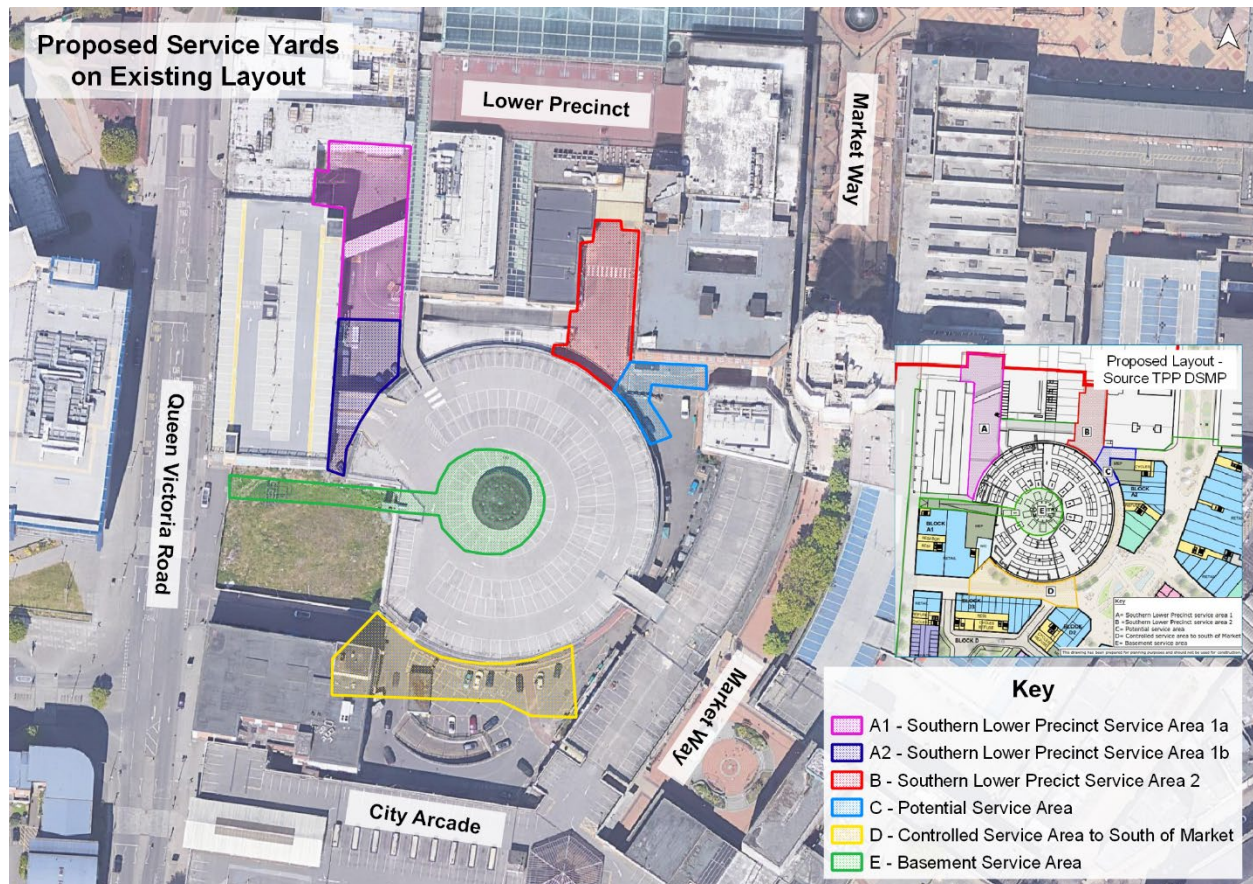


Figure 5.2: Proposed Service Area Locations

- Yard A – No Change from existing
- Yard B – No Change from existing
- Yard C – reduced in scale to accommodate footprint of Block A2 and intended to also serve solely proposed Block A2
- Yard D – reduced in size and servicing access time restricted to 0600/0700-1000 hours only
- Yard E – 4no. small basement service bays proposed, accessed from a new ramp from Queen Victoria Road

Temporal Scope

- 5.8 As I set out above, the TPP analysis was based on a survey of one single weekday (Thur 21/11/2019) and one single weekend day (Sat 23/11/2019).
- 5.9 There was concern that the TPP single day survey choice failed to capture a busiest weekday and consequently underestimates servicing demand.
- 5.10 In order to consider the matter fully, Mayer Brown surveyed the yards surrounding CM for a seven day period, being 10/10/2022-16/10/2022. The surveys captured all activity between the hours of 0500 and 1900 and were undertaken by TRACSIS, an independent survey company who specialise in such data collection.
- 5.11 The surveys identified the following servicing activity (these figures exclude drop off, parking and taxi movements etc and report only loading/unloading activity), which could reasonably be considered servicing.
- 5.12 Yard D has been specifically isolated in the table below as this is the area of servicing activity which will be displaced for periods of time post-development. Yard E (basement) has been excluded from these figures as only four vehicles were observed using that area during the course of the week (all four being fork-lift/tractor movements).

Date (October 2022)	Service Yard D (Rover Road)	Service Yards A, B and C	All Service Yards
Mon 10 th	48 vehicles	123 vehicles	171 vehicles
Tues 11 th	57 vehicles	151 vehicles	208 vehicles
Weds 12 th	39 vehicles	146 vehicles	185 vehicles
Thurs 13 th	29 vehicles	123 vehicles	152 vehicles
Fri 14 th	119 vehicles	145 vehicles	264 vehicles
Sat 15 th	36 vehicles	87 vehicles	123 vehicles
Sun 16 th	29 vehicles	39 vehicles	68 Vehicles

Table 1: Vehicle Activity Across Survey Period 10/10/2022-16/10/2022 (excluding drop off, parking and taxi movements)

- 5.13 The analysis undertaken by TPP identified a total of 63 vehicles servicing in Yard D on the Thursday that they surveyed.
- 5.14 The MB surveys identify that the Thursday is the quietest weekday in terms of servicing activity across all the yards.
- 5.15 Based on the new survey data, Friday is plainly the busiest weekday and significantly more so than Thursday. The TPP data therefore underestimates the likely displacement of servicing activity.

- 5.16 The analysis contained within the remainder of my evidence adopts the Friday survey results to consider the potential effects of the CCS development on the operation of surrounding service yards.

Market Occupation

- 5.17 We have been advised that at the time of the Mayer Brown surveys, only 78% CM stalls were let.
- 5.18 The CCS development will invariably act as a regenerative development that should positively affect trading in adjacent units and the market and it is therefore not unreasonable to uplift the servicing activity associated with the market to reflect this phenomenon.
- 5.19 Consequently, the tables that follow within my evidence uplift CM servicing activity to reflect 100% stall occupation which is in line with general transport planning practices. This uplift has only been applied to Yards A2, C and D.

LPSC Occupation

- 5.20 In a similar vein to the CM occupation rates commented on above it is understood that, during the Mayer Brown surveys, the anchor store in the LPSC was unoccupied.
- 5.21 The absence of a retailer within this unit would result in a lower than normal servicing demand being recorded.
- 5.22 The anchor store has a floor area which represents 23% of the total floor area of LPSC that would utilise service Yards A1 and B.
- 5.23 In order to compensate for this under-occupation, the data that is reported in the remainder of my evidence uplifts servicing activity associated with LPSC in Yards A1 and B to reflect full occupation of LPSC.

Duration of Stay Adjustments

- 5.24 As explained earlier in my evidence, the TPP analysis removed any vehicle activity that was recorded to have a duration of stay in excess of 2 hours. That is to say, they have assumed that any vehicle activity which exceeds 2 hours duration will be completely removed from the service yards in the future scenario.
- 5.25 It is acknowledged that (save for contractor vehicles) it should not be necessary for a service vehicle to stay in excess of 2 hours within any of the yards. However, having considered the survey data in detail it is clear that these vehicles are undertaking some

servicing of the market, although the drivers are not removing the vehicle from the yard once the activity has ceased.

5.26 Consequently, it would be more appropriate in any analysis to curtail their visit rather than to remove them completely. This takes the reasonable assumption that the servicing activity would continue, but enhanced management of the service yards would restrict any duration of stay to less than 2 hours.

5.27 The data presented in the rest of this section assumes that vehicle durations are curtailed, rather than completely removing them.

5.28 This applies to all activity in all yards surveyed.

Geographical Scope (all Yards)

5.29 Table 2 below considers demand (and supply) across all remaining service yards around CM & LPSC post development.

5.30 Given the concerns set out earlier relating to the servicing adjacent to Block A2, the tables that follow exclude any demand arising for servicing from Block A2 and also the supply of the two proposed loading bays adjacent to that block. Notwithstanding this, the existing activity recorded occurring within this area (Yard C) has been assumed to need to be accommodated.

5.31 The 31 available service bays post development comprise:

- Yard A1 - 5no loading bays closest to LPSC
- Yard A2 - 9no loading bays closest to CM
- Yard B – 3no loading bays
- Yard D – 10no loading bays (0600-1000 hours)
- Yard E – 4no new basement loading bays

Time (Fri 14th)	Accumulation Across All Service Yards				Total available loading bays post- development
	No Time Restriction		2hr Time Restriction		
	At Hour	Max in Hour	At Hour	Max in Hour	
05:00	1	5	1	5	21
06:00	3	5	3	5	31
07:00	1	5	1	5	31
08:00	3	15	3	13	31
09:00	14	20	13	20	31
10:00	17	23	17	21	21
11:00	15	21	13	18	21
12:00	20	24	15	17	21
13:00	23	23	16	16	21
14:00	15	17	10	10	21
15:00	10	12	6	9	21
16:00	4	16	0	12	21
17:00	13	15	9	13	21
18:00	6	9	2	5	21
19:00	4	-	2	-	21

Table 2: Servicing Vehicle Accumulation Profile – Fri 14th – Anticipated Servicing Demand assuming CM and LPSC occupancy at 100%

- 5.32 The above table identifies that if CM and LPSC are 100% occupied and any excessive dwell time is curtailed to two hours, the service vehicle accumulation will reach the maximum number of bays available (1000 hours). If dwell time is not curtailed, then the demand exceeds the supply for an extended period of the day.

Geographical Scope (specific to Market Activity)

- 5.33 Table 2 above considers all service yards surrounding CM and compares total servicing demand to available loading bay supply, concluding that the estimated accumulation will be at, or close to, the supply of loading bays for a number of hours of the day.
- 5.34 This approach has no consideration of the fact that the displaced CM servicing activity will naturally gravitate to the loading bays closest to the Market (being the 9 bays identified as Yard A2) and has assumed that drivers will seek out an empty loading bay regardless of its proximity to their intended point of delivery.
- 5.35 In order to consider this further, a more focussed analysis has been undertaken looking at the daily demand of the CM servicing activity (uplifted by 22%) against the supply of bays in service areas A2, D and E.

5.36 The table below summarises the findings:

Time (Fri 14th)	Accumulation Across All CM Service Yards				Total available loading bays post- development
	No Time Restriction		2hr Time Restriction		
	At Hour	Max in Hour	At Hour	Max in Hour	
05:00	1	2	1	2	13
06:00	1	2	1	2	23
07:00	1	4	1	4	23
08:00	2	10	2	9	23
09:00	10	15	9	15	23
10:00	11	16	11	15	13
11:00	12	17	11	13	13
12:00	17	20	13	15	13
13:00	20	20	15	15	13
14:00	13	13	9	9	13
15:00	9	10	5	6	13
16:00	4	13	0	10	13
17:00	9	11	5	7	13
18:00	5	7	1	4	13
19:00	4	-	2	-	13

Table 3: Servicing Vehicle Accumulation Profile – Fri 14th – Anticipated Servicing Demand CM Activity only (assuming 100% occupancy)

5.37 This analysis identifies that the CM servicing accumulation alone through the day is likely to regularly exceed the supply of loading bays adjacent to the market, if left unregulated and this would also be the case, even if a 2 hour maximum restriction was imposed.

LPSC Unit Subdivision

5.38 At the time of the Mayer Brown surveys, Next was a sole occupier of their unit.

5.39 I am advised that the Next unit within the LPSC is to be subdivided into smaller units. This is likely to affect servicing activity associated with that unit.

5.40 In the absence of being able to record actual servicing activity associated with multiple future occupiers, it would be typical to utilise TRICS to estimate this activity, which would identify a servicing trip rate per 100sqm of unit.

5.41 As this calculation is undertaken on a floor area basis it cannot therefore reflect the effects of a unit subdivision on servicing as the total floor area would remain unchanged and the estimated servicing trips consequently also remaining unchanged.

- 5.42 This is somewhat counterintuitive as it is exceedingly unlikely that, for example, four retailers each occupying 500sqm would generate the same level of servicing activity as a single retailer occupying 2,000sqm.
- 5.43 The reality is that it is more likely that four retailers would generate more servicing trips than a single occupier.
- 5.44 Any calculations relating to servicing demand above should therefore be considered with this in mind as the proposed subdivision is likely to only increase demand above that reported in Table 2.

Contractor Parking

- 5.45 During the week of the Mayer Brown survey, only one long stay vehicle was recorded within LPSC service yards, likely to be a contractor vehicle. I have been informed by the LPSC Manager that contractors can regularly require a number of bays for extended periods.
- 5.46 Indeed, during a site visit on the 8th November 2022 two contractor vehicles were observed to be using spaces for an extended period of the day [present from 0800 hours until I left site at 1400 hours] and two further spaces were occupied by a cherry picker and raising platform (used for Christmas decoration installation) which, I am advised, would be on site for several days.
- 5.47 I have been informed by the Centre Manager that these types of activity are a regular occurrence throughout the year. Such activity would obviously reduce the available servicing capacity and any calculations above relating to servicing demand & capacity should therefore be considered with this in mind.

General Operational Issues

- 5.48 While the analysis above considers servicing demands of CM and LPSC in technical terms, there are invariably day to day issues which arise that can compromise the operation of the service yards and place additional demands on those who control access.
- 5.49 I provide at Appendix AP1 a note from the LPSC Manager, which gives an insight into the more practical issues surrounding managing the service areas to the north of CM.

- 5.50 It is plain that the displacement of servicing activity from the southern part of the Market into those yards controlled by Royal London is more than just a matter of whether supply of bays can meet demand – there will be additional pressures placed on staff which need to be considered.

Block A2 Servicing

Block A2 Servicing – TRICS Methodology

- 5.51 In their analysis [*May 2022 Draft SMP – Page 9, Tables 4.1 and 4.2*], TPP report LGV and HGV trips associated with the proposed residential use in Block A2 and title the table “servicing trips”.
- 5.52 Reporting solely LGV and HGV data will only present part of the servicing demand of the Block as it will exclude smaller vehicles, such as couriers and others making home deliveries.
- 5.53 In order to report all servicing trips (including by all modes and sizes of vehicles) TRICS data relating to “servicing” trips should be utilised, which will report **all** servicing trips (including those by smaller vehicles).
- 5.54 A review of LGV/HGV daily rates compared to “Servicing” rates from TRICS identifies that TPP utilise a TRICS daily rate of 0.191 LGV/HGV movements per dwelling. The TRICS “servicing” rate is 0.230/dwelling [full outputs are contained in Appendix AP3].
- 5.55 Consequently, TPP’s assessment has underestimated the servicing activity of Block A2 residential by circa 20%.

Block A2 Servicing - Accumulation

- 5.56 In their analysis [*May 2022 Draft SMP – Tables 4.1 and 4.2 and para 4.3.2*], TPP report the expected LGV and HGV service trips associated with Block A2 and conclude that the servicing provision for this block will be sufficiently sized to accommodate the demand based on arrivals in any one hour.
- 5.57 It is normal practice when utilising TRICS to estimate loading demand based on a rolling accumulation, rather than arrivals in any one hour.
- 5.58 The table below replicates the TPP Table 4.1 but includes a rolling accumulation column.
Note: this is still just HGV/LGV, rather than all servicing demand as discussed above:

"Table 4.1": Proposed servicing trip generation Block A2 – Weekday [from TPP DSMP]					
Time	Arrivals		Departures		Accumulation
	LGVs	HGVs	LGVs	HGVs	0
07:00-08:00	0	0	0	0	0
08:00-09:00	1	0	0	0	1
09:00-10:00	1	0	1	0	1
10:00-11:00	2	0	1	0	2
11:00-12:00	2	1	2	1	2
12:00-13:00	2	0	2	0	2
13:00-14:00	2	1	1	1	3
14:00-15:00	0	0	1	0	2
15:00-16:00	1	0	1	0	2
16:00-17:00	1	0	1	0	2
17:00-18:00	1	0	1	0	2
18:00-19:00	0	0	0	0	2

Table 4: TPP Proposed Servicing Trips Block A2 (Source: TPP DSMP)

- 5.59 The above identifies a peak accumulation of **three** servicing vehicles and a relatively consistent demand for two bays throughout a weekday.
- 5.60 As set out earlier in my evidence, The TPP Draft SMP [May 2022] suggests there may be two loading bays adjacent to Block A2 as shown on **Figure 4.2**. Based on the above accumulation (using TPPs data), these would be largely fully utilised throughout the day solely by Block A2 activity, which has been underestimated by TPP. There would be no scope to serve any other purpose, with any consequential overspill likely to result in increased demand in the LPSC yards and increased conflict with pedestrians.
- 5.61 These bays are located immediately adjacent to one of the main Market entrances which acts as a key pedestrian link between the Market and Market Way (and beyond) as illustrated at **Figures 5.3 and 5.4** below.
- 5.62 This area carries in excess of 2,000 pedestrian movements between the hours of 0700 and 1800, confirming that this is a heavily trafficked area by foot.
- 5.63 The proposed northernmost bay sits on an area linking Market Way with the Market and Service Yards, (which is currently delineated with a yellow box and "Keep Clear" markings). This route has previously been illustrated by TPP as an area to be kept clear for emergency access. It would therefore follow that the provision of servicing in this location would be prejudicial to emergency access unless alternative access has been arranged.

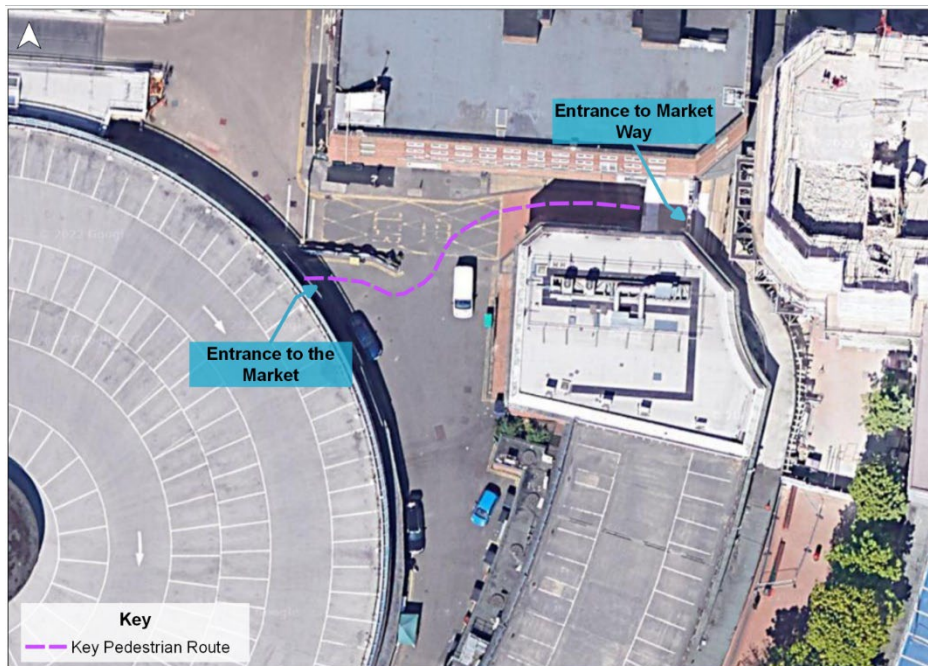


Figure 5.3: Key Pedestrian Desire Line between CM and Markey Way



Figure 5.4: Block A2 Proposed Loading Bay Locations

- 5.64 While it is acknowledged that there is a level of servicing activity already occurring in proximity to this area, the entrance to the Market (and consequently emerging pedestrians) are presently offered some protection by a retaining structure and associated armco barrier shown in the photograph above.

- 5.65 This existing arrangement offers a safer environment for pedestrians to emerge (and to be seen) before accessing Market Way. This protection would be removed under the proposals in parallel with significantly reducing space for people to move.
- 5.66 The loss of this protective feature and compromise to emergency access is a significant safety concern as the service vehicle manoeuvres will include reversing within a far smaller space shared with pedestrians than presently occurs.
- 5.67 The proposed strategy for servicing Block A2 is therefore considered unsafe.

6 Impact of the Scheme

Acquisition of Land

- 6.1 In relation to the acquisition of land at the southern end of Service Yard B, the proposed CPO has the potential to prejudice servicing of the LPSC retailers.
- 6.2 If access over the land to be acquired is not provided to LPSC retailers, then this would result in the need for them to service using smaller vehicles or undertake multiple forward/reverse manoeuvres within the service yard.
- 6.3 Naturally, the use of smaller vehicles is likely to result in additional vehicle trips and associated environmental (air quality) and road safety impacts in addition. Furthermore, any change in delivery vehicle sizes is likely to increase costs, which could affect the viability of an occupiers operation at LPSC.
- 6.4 For safety reasons it is generally accepted that reverse manoeuvres by delivery vehicles should be kept to a minimum (and preferably eliminated completely). If, as a result of the loss of the land to be acquired, it is necessary for vehicles to undertake multiple manoeuvres then this would require an appropriate risk assessment by each affected retailer although there can be no doubt that multiple manoeuvres are less safe than the single manoeuvres presently achievable.
- 6.5 Without clarity on the intentions of the AA for this area, the proposals could impact on viability and safety of servicing operations for LPSC retailers.

Servicing of Coventry Market

- 6.6 I have demonstrated in the previous section of my evidence that the proposal to limit the opening hours of Yard D will result in displacement of servicing activity to other yards.
- 6.7 The quantum of displacement cannot be accommodated within the yards expected to accommodate the additional activity.
- 6.8 As a consequence, as presently proposed, the development would have an unacceptable impact on the day-to-day operation of the surrounding service yards, affecting LPSC retailers, CM traders and could result in potential highway safety issues.
- 6.9 Moreover, the displacement would place additional and unacceptable impacts on Royal London as operators of Yards A1/A2/B.
- 6.10 The proposals are ill considered and deficient in this regard.

Servicing of Block A2

- 6.11 The previous section of my evidence identifies that the proposed servicing strategy for Block A2 is based on flawed calculations that under-estimate likely servicing activity. This will lead to an under-provision of servicing facilities in this area that could result in unacceptable overspill of servicing into adjacent areas, prejudicing the ability for servicing to occur in those other yards.
- 6.12 In addition, the proposed laybys provided to service Block A2 are located such that they compromise pedestrian access to Coventry Market, resulting in an unacceptable and unsafe arrangement.

7 Mitigating Measures Required

Land to be acquired

- 7.1 The AA should be required to ensure that service vehicles utilising Yard B are able to pass over the area identified in **Figure 5.1**, or be required to remove this area from the CPO in order to preserve appropriate servicing for LPSC retailers.

Servicing Coventry Market

Operational Phase

- 7.2 Given the findings of the analysis above and potential impacts that would arise, it is considered that it will be essential to significantly adapt and strengthen the current service yard management regime to avoid a regular level of undersupply of loading bays.
- 7.3 Without this additional degree of management there is a demonstrable potential that retailers/traders will suffer disruption to their servicing ability.
- 7.4 Moreover, there is a risk that a lack of increased management would result in overspill of servicing activity that could be prejudicial to highway safety and the safety of the wider public.
- 7.5 Given the results of the analysis, it is considered that the best way to seek to mitigate adverse impact and manage future service yard activity would be to implement a booking system across the entirety of the affected service yards. While this solution would theoretically result in controlling the timing of deliveries to each yard such that the supply of loading bays is not exceeded, it will only provide a degree of mitigation against the potential issues that could arise, and would rely upon additional resourcing and infrastructure being made available.
- 7.6 The changes proposed to the service yard management will require at least one additional security staff member to be present on site to assist with the increased level of access control required. This additional resource would need to be supplemented with a full-time on-site enforcement officer to ensure that drivers comply with the management plan and maintain a safe environment for servicing to take place.
- 7.7 In terms of infrastructure, access control across all yards would need to be coordinated from a single point, requiring improved communications between the control room and barrier locations.

- 7.8 The booking system itself will need to be developed specifically for the site and hosted in a suitably secure web-based environment. This web-based environment will need to be maintained by an appropriate IT professional with appropriate support also being given to those requiring access to the booking system (i.e. traders/retailers).
- 7.9 The booking system would require appropriate mobile based (App) compatibility and support to ensure it is accessible by as many traders/retailers as possible.
- 7.10 For ease of use by traders/retailers, it would be appropriate to provide on-site access to the booking system via dedicated portals (computer/tablet) located across both LPSC and CM.
- 7.11 This additional resourcing and infrastructure will require funding. In the absence of any other obvious means, the setup and ongoing costs associated with this are likely to be passed to existing retailers/traders via additional service charges.
- 7.12 Notwithstanding the above, Mayer Brown have developed a Draft Delivery and Servicing Management Plan (DSMP) which sets out the principles under which the anticipated servicing could be controlled via a booking system.
- 7.13 This Draft DSMP is contained at Appendix AP4.
- 7.14 While the Draft DSMP can theoretically manage the logistics behind supply and demand of servicing activities, this assumes that a booking system would be compatible with the retailers/traders concerned.
- 7.15 The Draft DSMP contained in Appendix AP4 has not been approved or discussed with LPSC retailers or CM traders and the AA would need to establish that the system would be acceptable to those affected, as well as being capable of being lawfully implementable given any existing lease agreements. If it is not acceptable to those affected, then the AA would need to identify an alternative method of delivery/servicing management which mitigated the unacceptable impacts likely to result from the proposal.

Construction Phase

- 7.16 Notwithstanding the obvious need to implement a stronger management regime to manage the operational phase of the development, the AA will also need to consider the effects of construction phases on servicing.
- 7.17 From the analysis undertaken, it is evident that any reduction in servicing capacity around the southern part of CM (even during construction) would need a change in management of the surrounding service yards. This is required to ensure that retailers/traders ability to operate and highway safety is not prejudiced.

- 7.18 It is therefore likely that the measures contained within the draft DSMP in Appendix AP4 would need to be implemented at an appropriate point in the construction phase of the development.
- 7.19 Given a suitable management regime will take time to fully plan and implement the AA should provide a detailed programme on when enhanced servicing measures will be brought forward to ensure that the ability of existing retailers/traders to service is not compromised.

Servicing Block A2 (Yard C)

- 7.20 The only available mitigation for the deficiencies associated with Block A2, as proposed, is to amend the layout of service Yard C to provide a sufficiently sized servicing area and loading bays which preserved pedestrian safety and does not compromise emergency access, or to omit Block A2.
- 7.21 The AA should demonstrate how the provision of such a servicing yard can be achieved, or Block A2 should be omitted from the scheme.

8 Summary and Conclusions

- 8.1 My evidence has detailed a series of significant deficiencies of the proposed CCS scheme that casts serious doubt over whether the development can be brought forward without having an unduly adverse impact on the ability to service CM and the LPSC.
- 8.2 I have demonstrated that an area of land which is proposed to be acquired, and which forms part of Service Yard B, is necessary for the continuation of servicing activities associated with LPSC. Any obstruction to this area (temporary or permanent) would affect retailers' ability to manoeuvre and this would either compromise safety (by requiring additional reversing) or necessitate servicing by smaller vehicles (with associated logistical issues). Consequently, the land in question should be removed from the CPO order.
- 8.3 My evidence provides a thorough assessment of existing and proposed servicing activities around CM to establish the likely impacts that would arise from the CCS development. The 2022 Planning Permission envisages that a servicing strategy will be submitted to and approved by the local planning authority. My analysis clearly demonstrates that such a strategy will not provide an equivalent level of servicing access to that currently provided, and that even with significantly improved management of the service yards, the CCS development would have an unacceptable impact on existing retailers/traders and would also be likely to result in unacceptable impacts arising on the public highway surrounding the site.
- 8.4 I set out that, based on my analysis, it would only be possible to ensure future servicing demands do not exceed loading bay supply by implementing a booking system, which would need to apply to all retailers/traders. My evidence includes a Draft DSMP to this effect.
- 8.5 While the AA have sought to rely upon a planning condition to try and resolve the future servicing of the CCS development, they made this decision based on an inadequate analysis which contains a series of serious flaws. I summarised at paragraph 5.6 of my evidence these deficiencies.
- 8.6 However, while the theory of a booking system may be the best available mitigation to manage the proposed servicing demands, it unavoidably leaves a number of residual concerns. The imposition of a new service yard management regime will place additional pressures on those responsible for day to day control of the areas, requiring additional resourcing and enhanced infrastructure. Indeed, it would need to be demonstrated by

the AA that the management changes required are compatible with existing traders operations and are lawfully implementable, given any lease agreements already in place.

- 8.7 If it is not possible to implement the necessary service yard management systems and the proposed development came forward, it would result in unacceptable and unsafe impacts arising.
- 8.8 In addition, my evidence demonstrates that the proposed servicing strategy of Block A2 has been based on flawed data and that the proposed service yard arrangement for Block A2 would be unsafe.
- 8.9 It is therefore my opinion that, on the evidence, and even taking into account the DSMP which I have drawn up, it is not possible to conclude that if the CPO is confirmed and the land and rights sought are acquired, a satisfactory servicing strategy can be devised. The impact of the Scheme is to deprive CM of its existing servicing arrangements without putting in place an acceptable alternative strategy. It cannot, and should not, be assumed that it will be possible to devise an appropriate servicing strategy for submission and approval under condition 40 attached to the 2022 Planning Permission.